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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q92060

Megumi KUMEMURA, et al

Appln. No.: National Stage of PCT/JP2004/009212

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: December 19, 2005

Examiner: Unknown

For: COMPOSITION FOR LOWERING SERUM URIC ACID LEVEL

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of an International Search Report in a counterpart application is submitted herewith. The USPTO should receive copies of the references cited in the International Search Report from the International Bureau. Applicant will furnish any missing references upon request.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (International Search Report for PCT/JP2004/009212 dated October 19, 2004), together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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23373

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Date: December 19, 2005

Substitute for Form 1449 A & B/PTO  <b><u>INFORMATION DISCLOSURE</u></b> <b><u>STATEMENT BY APPLICANT</u></b>  <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	National Stage of PCT/JP2004/009212 <b>275</b>
				Confirmation Number	Unknown
				Filing Date	December 19, 2005
				First Named Inventor	Megumi KUMEMURA
				Art Unit	Unknown
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	Q92060

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> <i>(if known)</i>		
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> <i>(if known)</i>			
		JP	2003-500451	A	01/07/2003	VSL PHARMA LTD.	
		WO	02/91833	A1	11/21/2002	KIBOW BIOTECH INC.	
		JP	2004-161618	A	06/10/2004	KIRIN BREWERY CO., LTD.	
		JP	2001-501621	A	02/06/2001	PHARMANEX INC.	
		JP	8-163983	A	06/25/1996	KANEBO, LTD.	
		JP	11-318351	A	11/24/1999	TAKARA SHUZO KABUSHIKI KAISHA	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		Takeshi IKENAGA, ET AL, "TAKAI PURINE NUCLEOSIDE TAISHANO o YUSURU NYUSANKIN NO SHOKUJISEI KO NYOSAN KESSHO MODEL RAT NO KECCHU NYOSANCHI NI OYOBOSU EIKYO", NIPPON EIYO SHOKURYO GAKKAI SOKAI KOEN YOSHISHU, Vol. 58 <sup>th</sup> , April 1, 2004, page 318, 31-4p	
		Jun OGAWA, ET AL, "PURINE NUCLEOSIDE TAISHA NI EIKYO o OYOBOSU NYUSANKIN NO TANSAKU", NIPPON NOGEI KAGAKUKAI 2004 NENDO (HEISEI 16 NENDO) KOEN YOSHISHU, March 5, 2004, page 197, 3A15a06	
		Takeshi IKENAGA, ET AL, "SHOKUJISEI NYOSAN KESSHO MODEL RAT NO KECCHU NYOSANCHI NI OYOBOSU NYUSANKIN NO EIKYO", NIPPON NOGEI KAGAKUKAI 2004 NENDO (HEISEI 16 NENDO) KOEN YOSHISHU", March 5, 2004, page 197 3A15a07	
		C. CAMPIERI, ET AL, "REDUCTION OF OXALURIA AFTER AN ORAL COURSE OF LACTIC ACID BACTERIA AT HIGH CONCENTRATION", KIDNEY INT., Vol. 60, No. 3, 2001, pages 1097-1105	
		S. HOKAMA, ET AL, "OXALATE-DEGRADING ENTEROCOCCUS FAECALIS", MICROBIOL. IMMUNOL., Vol. 44, No. 4, 2000, pages 235-240	
		DATABASE EMBASE ON STN, (2004) ABSTRACT NO. 2004081271 & J. KOZLOWSKI, ET AL, "THE INFLUENCE OF THE ORAL ADMINISTRATION OF LACTIC ACID BACTERIA ON THE OXALURIA IN THE CHILDREN WITH CALCIUM-OXALATE NEPHROLITHIASIS", PRZEGLED PEDIATRYCZNY, Vol. 33, No. 4, pages 313-316, (2003)	

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				Examiner Name	
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		DATABASE CAPLUS ON STN, (1962), No. 57:71652 & T. PORSCHE, ET AL, "THE USE OF URIC ACID BY SACCHAROMYCES", ACAD. REP. POPULARE ROMINE, BAZA CERCETARI STIINT TIMISOARA, STUDII CERCETARI STIINTE CHIM., Vol. 8, No. 1 to 2, pages 181-183, (1961)	
		DATABASE CAPLUS ON STN, (1986), No. 104:105897 & W. J. MIDDELHOVEN, ET AL, "YEAST SPECIES UTILIZING URIC ACID, ADENINE, N-ALKYLAMINES OR DIAMINES AS SOLE SOURCE OF CARB ON AND ENERGY", ANTONIE VAN LEEUWENHOEK, Vol. 51, No. 3, pages 289 to 301, (1985)	
		DATABASE CAPLUS ON STN, (1979) No. 90:20791 & H. ONISHI, ET AL, "SCREENING AND CULTIVATION OF EXCELLENT URIC ACID-UTILIZABLE YEASTS", NIPPON NOGEI KAGAKU KAISHI, Vol. 52, No. 8, pages 317-321, (1978)	
		DATABASE BIOSIS ON STN, (1984), No. 1984:261891 & W. J. MIDDELHOVE, ET AL, "GROWTH OF CANDIDA-FAMATA AND TRICHOSPORON-CUTANEUM ON URIC ACID AS THE SOURCE OF CARBON AND ENERGY A HITHERTO UNKNOWN PROPERTY OF YEASTS", J. MICROBIOL., Vol. 49, No. 4 to 5, pages 361-368, (1983)	
		JUN OGAWA, ET AL, "KO NYOSAN KESSHO YOBO NI YUKO NA SAIKIN PURINE NUCLEOSIDASE NO SHO SEISHITSU", NIPPON NOGEI KAGAKU KAISHI, Vol. 75 SPECIAL EXTRA ISSUE, 2001, page 366, 3Y6a10	

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